

UNITED STATES CIVIL SERVICE COMMISSION

Washington 25, D. C.

OPM Declassification & Release Instructions on File - No Referral to OPM

August 8, 1949

ER 0-5-860
Ry 0-5-223

Rear Admiral R. H. Hillenkoetter, USN
Director
Central Intelligence Agency
Washington 25, D. C.

Dear Admiral Hillenkoetter:

Following the receipt of your letter of June 30, 1949 we took up officially with the Commissioners the question whether under the Central Intelligence Agency Act of 1949, the Agency is mandatorily subject to the provisions of the Classification Act of 1923, as amended.

It is the official judgment of the Commission, based on sections 7 and 10(b) of the Central Intelligence Agency Act of 1949, that the Agency is not required, as a matter of law, to follow the Classification Act, and that the Commission, therefore, as a matter of law, is not required to enforce that Act within your Agency.

This decision does not affect the status of employees or positions with reference to other laws, such as the Civil Service Act or the Retirement Act.

We are gratified to learn that notwithstanding the legal conclusion stemming from the terms of the statute, you intend, as an administrative policy, to follow the basic philosophy and principles of the Classification Act, the Civil Service Commission's allocation standards, the pay scales, the within-grade salary advancement plans, and the pay rules of the Classification Act, as they may be amended from time to time, in substantially the same manner as the Classification Act provides.

Under these conditions, we are glad to offer our services as a source of information, advice, and the certification of advisory allocations when you desire such action. We appreciate the soundness of your administrative policy with respect to position-classification and salary standardization. Within our resources, we will do all we can to aid you.

Sincerely yours,

/S/

Ismar Baruch, Chief
Personnel Classification Division